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TONY R. MOORE, CLERK
WESTERN DISTRICT OF LOUISIANA

IN THE UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF LOUISIANA, MONROE DIVISION

STATE OF MISSOURI; STATE OF
LOUISIANA; AARON KHERIATY; MARTIN
KULLDORFF; JIM HOFT; JAYANTA
BHATTACHARYA; JILL HINES,

Plaintiffs

v.

Civil Action No. 3:22-cv-1213

JOSEPH R. BIDEN, JR.; VIVEK H.
MURTHY; XAVIER BECERRA;
DEPARTMENT OF HEALTH & HUMAN
SERVICES; ANTHONY FAUCI et al.,

Defendants

MOTION FOR LEAVE TO PROCEED UNDER PSEUDONYM

Public Interest in Pseudonymous Participation: The issues at stake in this case transcend the individual interests of the parties involved. Movant's unique perspective, as articulated in the accompanying motion to intervene, offers valuable insights that can aid the court in addressing complex constitutional questions surrounding the Third Amendment in the digital age. Granting pseudonymous participation will serve the public interest by facilitating the presentation of diverse viewpoints on these critical matters.

Necessity of Anonymity: The pseudonymous participation of Movant in this litigation is necessitated by the distinct and substantial risks associated with the disclosure of their identity. The government's actions, which form the crux of this case, have created an environment where the revelation of their true identity could potentially exacerbate the harm already inflicted and further stifle their freedom of speech. The pervasive nature of the government surveillance scrutinized in this case, coupled with the tangible yet diffuse harm endured by Movant, underscores the imprudence of risking the disclosure of their true identity.

Minimal Impact on Defendants: The use of a pseudonym by Movant will not inflict undue prejudice upon the defendants or obstruct their capacity to mount a robust defense against the claims. Movant's identity does not constitute a pivotal element in the claims or defenses in this case, and any requisite disclosures can be executed under the protection of a court order.

Protection of Fundamental Rights: The disclosure of Movant's true identity may have a chilling effect on their exercise of their fundamental rights, particularly freedom of speech and association. Given the sensitive nature of the issues raised in this case, it is crucial to safeguard their ability to participate fully and freely without fear of retaliation or harm.

No Intent to Defraud or Mislead: The use of a pseudonym by Movant is not intended to defraud or mislead the court or the parties involved. The motion is made in good faith, solely to

protect their fundamental rights and to enable meaningful participation in this important legal proceeding.

Respect for Judicial Process: Movant seeks to respect the integrity of the judicial process while simultaneously exercising their rights to privacy and free speech. By requesting leave to proceed pseudonymously, they aim to preserve the court's focus on the merits of the case without unnecessary distractions.

Conclusion: In conclusion, the use of a pseudonym in this case is necessary to protect the fundamental rights of Movant and to ensure the fair and effective adjudication of this case. Given the sensitive nature of the issues at stake and the potential risks associated with disclosing their identity, it is in the best interest of justice to grant this motion.

WHEREFORE, Movant respectfully moves this Honorable Court for leave to proceed pseudonymously as Brandon Quixote Doe in this case and requests such other relief as the Court deems just and appropriate.

Respectfully submitted this 15th day of August, 2023.

Brandon Q. Doe